

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Mayumi KOTANI et al.

Group Art Unit: 1655

Application No.: 10/537,339

Examiner: Amy Lynn Clark
Primary Examiner: Michelle Flood
Supervisory Examiner: Terry McKelvey

Filed: June 2, 2005

Attorney Docket No.: 8156/84352

Confirmation No.: 3456

Customer No.: 42798

STATUS REQUEST and SECOND RULE 133 STATEMENT

Commissioner for Patents
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants request a status update on this application. Applicants filed a paper on October 24, 2007 and have confirmation that the PTO received it, copy attached. However, it is not listed in the Private Pair records associated with this Application.

Applicants understand this case is pending. Based on the discussions with the Supervisory Examiner had between September 24, 2007 and October 24, 2007, it is understood that the Amendment filed 13 July 2007 would be entered and this application routed to the Examiner for further action on the merits.

Date: November 26, 2007

Respectfully submitted,

OFFICIAL CORRESPONDENCE TO
Customer No. 42798

FITCH, EVEN, TABIN & FLANNERY

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INTELLECTUAL PROPERTY LAW | EST. IN 1859

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October 24, 2007

VIA FACSIMILE (571-273-8300)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CONFIRMATION

Re: U.S. Patent Application of Mayumi KOTANI, et al.
Application No. 10/567,339
Filing Date: June 2, 2005
Confirmation No.: 3456
Examiner: Amy Lynn Clark, Group Art Unit 1655
Our Ref.: 8156/84352

Dear Sir:

We are in receipt of the Notice of Non-Compliant Amendment of September 24, 2007.

We respectfully submit the Notice of Non-Compliant to be reconsidered and withdrawn and the application routed to the Examiner for further action on its merits. The period in which this application was subjected to the Notice relates to PTO delay, not delay by the Applicant.

Applicant's last filed amendment cancelled the original title and presented a new one, and the manner in which it was presented is in full compliance of PTO Rules, 37 C.F.R. 1.121.

This matter has been discussed with the Supervisory Examiner twice during the period involved and his courtesy and cooperation are acknowledged with appreciation. Based on the discussion, it is understood that the Notice will be rescinded and this Application will be directed to the Examiner for further consideration.

Respectfully submitted,



Kendrew H. Colton
Reg. No. 30,368

KHC/ecl

*** TX REPORT ***

TRANSMISSION OK

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